

## SCHEDULE

Modification of council tax legislation in respect of precepts for PCC functions

### **Modification of the Local Authorities (Conduct of Referendums) (Council Tax Increases) (England) Regulations 2012**

**14.** The Local Authorities (Conduct of Referendums) (Council Tax Increases) (England) Regulations 2012 apply as if—

- (a) in regulation 2(1) (interpretation) there were inserted at the appropriate place the following definition—

““general component relevant basic amount of council tax” and “PCC component relevant basic amount of council tax” have the meaning given by section 52ZX of the 1992 Act;”

- (b) in regulation 3 (question to be asked in a referendum) after paragraph (3) there were inserted—

“(4) Where a referendum is held in relation to a mayoral combined authority’s PCC component relevant basic amount of council tax for a financial year, references to an authority’s relevant basic amount of council tax in Schedule 1 are to be interpreted as references to the authority’s PCC component relevant basic amount of council tax.

(5) Where a referendum is held in relation to a mayoral combined authority’s general component relevant basic amount of council tax for a financial year, references to an authority’s relevant basic amount of council tax in Schedule 1 are to be interpreted as references to the authority’s general component relevant basic amount of council tax.”

- (c) in regulation 5 (publicity and other information to be provided in connection with referendums by precepting authorities other than the Greater London authority—

(i) in the heading at the end there were inserted “or a mayoral combined authority”;

(ii) in paragraph (1) after “Greater London Authority” there were inserted “or a mayoral combined authority”;

- (d) after regulation 6 (publicity and other information to be provided in connection with referendums by the Greater London Authority) there were inserted—

#### **“Publicity and other information to be provided in connection with referendums by a mayoral combined authority**

**6A.**—(1) This paragraph applies where a mayoral combined authority has determined under section 52ZB(3) in relation to a financial year (“the relevant financial year”) that—

(a) its PCC component or general component relevant basic amount of council tax is excessive; or

(b) both of those components are excessive.

(2) Where paragraph (1) applies, the authority must, as soon as is reasonably practicable, and not fewer than 28 days before the date on which the referendum will be held in accordance with sub-paragraph (c) below, publish in such a manner as it considers likely to bring to the attention of persons who live in the authority’s area, a notice which contains a statement—

(a) that a referendum is required to be held on the authority’s council tax increase for the relevant financial year in accordance with Chapter 4ZA of Part 1 of the Local Government Finance Act 1992;

**Changes to legislation:** *There are currently no known outstanding effects for the The Combined Authorities (Finance) Order 2017, Paragraph 14. (See end of Document for details)*

- (b) that arrangements to hold the referendum will be made by relevant billing authorities which are to be specified in the notice;
  - (c) of the date on which the referendum will be held;
  - (d) of the question to be asked in the referendum;
  - (e) that the referendum will be conducted in accordance with procedures similar to those used at local government elections;
  - (f) of the referendum expenses limit that will apply in relation to the referendum and the number of local government electors by reference to which that limit has been calculated;
  - (g) of the authority's PCC component relevant basic amount of council tax for the relevant financial year;
  - (h) of the authority's PCC component relevant basic amount of council tax for the financial year preceding the relevant financial year;
  - (i) of the percentage change in the authority's PCC component relevant basic amount of council tax from the preceding year to the relevant financial year expressed to one decimal place;
  - (j) of what the amount calculated by the authority as its PCC component relevant basic amount of council tax for the relevant financial year would be if the authority's relevant basic amount of council tax is not approved;
  - (k) of what the percentage change in the authority's PCC component relevant basic amount of council tax from the preceding financial year to the relevant financial year expressed to one decimal place would be if the authority's relevant basic amount of council tax is not approved;
  - (l) of the authority's general component relevant basic amount of council tax for the relevant financial year;
  - (m) of the authority's general component relevant basic amount of council tax for the financial year preceding the relevant financial year;
  - (n) of the percentage change in the authority's general component relevant basic amount of council tax from the preceding financial year to the relevant financial year expressed to one decimal place;
  - (o) of what the amount calculated by the authority as its general component relevant basic amount of council tax for the relevant financial year would be if the authority's relevant basic amount of council tax is not approved;
  - (p) of what the percentage change in the authority's general component relevant basic amount of council tax from the preceding financial year to the relevant financial year expressed to one decimal place would be if the authority's relevant basic amount of council tax is not approved;
  - (q) that, not fewer than 28 days before the date on which the referendum will be held, the authority will publish a statement containing the matters referred to in regulation 7(3);
  - (r) of the procedures for obtaining a copy of the statement referred to in subparagraph (q).
- (3) The notice published under paragraph (2) may also include—
- (a) any other factual information relating to the authority's council tax or the referendum so far as it is presented fairly, or
  - (b) details of the procedures for obtaining such other factual information.”

**Changes to legislation:** *There are currently no known outstanding effects for the The Combined Authorities (Finance) Order 2017, Paragraph 14. (See end of Document for details)*

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**Commencement Information**

**II** Sch. para. 14 in force at 27.4.2017, see [art. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Combined Authorities (Finance) Order 2017, Paragraph 14.